

REMARKS

In the Office Action mailed October 25, 2002, the Examiner rejected Claims 19-20 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. To the extent the rejection applies to the amended claims, Applicant respectfully traverses the rejection.

The Patent Office rejects Claims 19-20 under 35 U.S.C. § 112, second paragraph, regarding vacuum and simultaneous introduction of auxiliary gas. Applicant notes that vacuum is a relative term and that it is certainly possible as described in the Application and encompassed by amended Claim 19 to introduce an auxiliary gas into a vacuum environment. Accordingly, Applicant respectfully requests that the Patent Office withdraw the rejection of Claims 19-20 under 35 U.S.C. § 112, second paragraph.

In the Office Action, the Examiner rejected Claims 1-11, 13-21, and 23-27 under 35 U.S.C. § 102(b) as being anticipated by Greinke et al. (U.S. Patent No. 5,582,811) ("Greinke"). To the extent the rejection applies to the amended claims, Applicant respectfully traverses the rejection.

As the Examiner stated in the Office Action, Greinke teaches a heating stage in examples 10 and 11 at temperatures as high as 1700°C. Applicant's independent Claims 1, 13, and 24 recite the limitation of purifying the graphite material at a temperature of at least 1750°C. (This temperature limitation is found in the Application on page 5, paragraph 22.) Applicant respectfully submits that (as the Examiner noted in the Office Action), Greinke does not teach or suggest the desirability of purifying a graphite

material at a temperature of at least 1750°C as recited in Applicant's independent Claims 1, 3, or 24.

Applicant respectfully directs the Examiner to the attachments which show boiling points of the elements and metals and vapor pressures of the elements at different temperatures. Representatively, according to the attachments, to remove the impurity of iron, in a vacuum furnace having a pressure of 1.0 Torr, a temperature of 1783°C is required to reach the vapor pressure of iron (e.g., to boil iron away).

Applicant respectfully submits that dependent Claims 2-11, 14-21, 23, and 25-27 are allowable for at least the same reasons as independent Claims 1, 13, and 24 from which they depend. Applicant respectfully requests that the Examiner withdraw the rejection to Claims 1-11, 13-21, and 23-27.

In the Office Action, the Examiner rejected Claims 12 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Greinke, and further in view of Junntila (U.S. Patent No. 4,533,086) ("Junntila"). To the extent that the rejection applies to the amended claims, Applicant respectfully traverses the rejection.

Applicant respectfully submits that Junntila does not remedy the defects of Greinke discussed above regarding independent Claims 1 and 13. Applicant respectfully submits that dependent Claims 12 and 22 are allowable for at least the same reasons as allowable independent Claims 1 and 13, discussed above, from which they depend. Applicant respectfully requests that the Examiner withdraw the rejection to Claims 12 and 22 under 35 U.S.C. § 103(a).

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance, and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: 1/24/03

By: William T. Babbitt
William Thomas Babbitt; Reg. No. 39,591

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited as First Class Mail with the United States Postal Service in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on January 24, 2003.

Nadya Gordon 1/24/03
Nadya Gordon Date

Attachment: VERSION WITH MARKINGS TO SHOW CHANGES MADE

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

The claims are amended as follows.

1. (Amended) A method comprising:
expanding a graphite material from a first density to a smaller second density;
and
following expansion, purifying the graphite material at a temperature of at least 1750°C.
8. (Amended) The method of claim 6, wherein the thermal treatment comprises a first thermal treatment and purifying the graphite comprises subjecting the graphite material to a second thermal treatment under vacuum at a temperature in the range of ~~1500-1750~~ to 3000°C.
13. (Amended) A method comprising:
expanding a graphite material;
following expansion, compacting the graphite material; and
following compaction, purifying the graphite material at a temperature of at least 1750°C.
18. (Amended) The method of claim 17, wherein purifying the graphite material comprises a second thermal treatment and the second thermal treatment comprises purifying under vacuum at a temperature in the range of ~~1500-1750~~ to 3000°C.

24. (Amended) An article of manufacture comprising graphite formed according to a method comprising:

expanding a graphite material from a first density to a smaller second density;
and

following expansion, purifying the graphite material at a temperature of at least 1750°C.